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DE RUEHKA #0339/01 0951044
ZNY CCCCC ZZH
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FM AMEMBASSY DHAKA
TO RUEHC/SECSTATE WASHDC IMMEDIATE 8563
INFO RUCNCLS/ALL SOUTH AND CENTRAL ASIA COLLECTIVE
RHHMUNA/USCINCPAC HONOLULU HI
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C O N F I D E N T I A L SECTION 01 OF 02 DHAKA 000339

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DEPT FOR SCA/INS AND SCA/FO

E.O. 12958: DECL: 04/03/2019
TAGS: [PGOV](#) [PHUM](#) [PINR](#) [PINS](#) [KDEM](#) [PREL](#) [BG](#)
SUBJECT: BANGLADESH HOLDS PEACEFUL BY-ELECTIONS APRIL 2 AS
FEARS OF RETURN TO STATUS QUO POLITICS GROW

Classified By: Charge d'Affaires, a.i. Geeta Pasi. Reasons 1.4 (b) and (d)

SUMMARY
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¶1. (C) On April 2, voters in six constituencies elected replacements for members of parliament compelled to relinquish seats won in the December 2008 polls. While voter turnout was down from December's record highs, voting in these six by-elections went smoothly, with the only change from December being the victory of an Awami League candidate in a seat won earlier by the Jatiya Party. In a welcome break from the past, Election Commission officials were responsible for conducting the elections, with logistic support and security provided by the local administration and police. While the conduct of elections continues to be a bright spot for Bangladeshi democracy, there are growing concerns that politics in general may be returning to the status quo that existed before the January 11, 2007 imposition of a State of Emergency. In a new low, the Prime Minister and members of her party have now called upon the Leader of the Opposition to vacate her residence in Dhaka's cantonment to make room for housing for families of army officers slain in the February Bangladesh Rifles mutiny. Meanwhile, Anti Corruption Chairman LTG (ret'd) Hasan Mashud Chowdhury's April 2 resignation is another sign that the reform process initiated by the Caretaker Government may be losing momentum.

Elections: Free, Fair, Credible and Peaceful
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¶2. (C) On April 2, by-elections were held in six parliamentary constituencies after Prime Minister Sheikh Hasina, Opposition Leader Khaleda Zia, Jatiya Party President Hossain Mohammad Ershad, and President Zillur Rahman were compelled to relinquish seats won in December 2008. (Note: Hasina, Khaleda, and Ershad had each won three seats in December and by law were forced to relinquish two seats each, while the President also gave up his seat when he assumed his new office.) The Bangladesh Nationalist Party (BNP) nominated veteran politicians Jamiruddin Sircar and Moudud Ahmed to defend two seats in the party's stronghold in Bogra district. Hasina's relative Sheikh Helal was elected unopposed in Bagerhat District and President Zillur's son Nazmul Hasan stood for his seat in Kishoreganj. Ershad's estranged wife Raushan Ershad defended one of his Rangpur seats. The other candidates were all relative unknowns, chosen from the ranks of local party leaders. In the end, the parties each retained the seats they had won in December by healthy margins, with the lone exception of the Awami League's victory in Kurigram--taking a seat captured in December by its erstwhile alliance partner, the Jatiya Party.

13. (C) The Embassy fielded observer teams in five of the constituencies and coordinated with observers sent by the National Democratic Institute, International Republican Institute, and the Asian Foundation-organized Election Working Group, which fielded domestic observers. Our observer teams reported only minor irregularities and praised the Election Commission's overall conduct of the polls. In a break from the past, the Commission (and not the local administration) was responsible for administering the polls. This was a healthy development which should serve to lessen the potential for the party in power to influence the results of the elections. Unlike in December 2008, the Army and Bangladesh Rifles did not deploy to provide security for the elections, leaving this responsibility in the hands of the police, backed up by the Rapid Action Battalion and paramilitary Ansars (an auxiliary force normally devoted to local development programs). As expected, turnout in the by-elections was down significantly from the record turnout recorded in December 2008, but still in line with previous by-elections.

Mudslinging Continues

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14. (C) While the conduct of the elections remains a bright spot, the tenor of politics has continued to deteriorate since the February 25 - 26 Bangladesh Rifles mutiny. On the eve of the April 2 election, Prime Minister Hasina touched a raw nerve when she demanded that the Leader of the Opposition vacate her residence on Dhaka's cantonment to make way for an apartment complex for family members of the army officers killed during the mutiny. Following her husband President

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Ziaur Rahman's 1981 assassination, the then-government granted the house (in which they were living at the time) to Khaleda Zia and her family. When Zia died his family was left penniless and the Cabinet voted to provide Khaleda and her children with two houses, a cash payment, and a series of other benefits. While former President Ershad and members of the Cabinet have supported the Prime Minister's call, senior BNP officials have rejected this as a political stunt. Awami League insiders tell us the party also wants to break the historic ties between the BNP and the Army. Regardless, this latest episode is a further indication of the depth of personal enmity between the two Begums.

ACC Chairman Steps Down

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15. (C) On election day, Anti Corruption Commission (ACC) Chairman LTG (ret) Hasan Mashud Chowdhury called a press conference to announce his resignation. In a brief statement, Chowdhury simply said that it was time for the ACC to have new leadership. The resignation was long expected as criticism of the ACC had mounted and the new government had moved to undermine its past decisions. State Minister for Law, Justice, and Parliamentary Affairs Kamrul Islam publicly welcomed the ACC Chair's resignation. Kamrul and other senior officials have pledged to reform the ACC and announced plans to investigate its past actions. Since January, both ruling party and opposition leaders have been vocal in criticizing the ACC Chairman's actions as having been "political" even as they have refrained from questioning his personal integrity. The ACC's critics have been particularly vocal regarding the Commission's use of (allegedly overpriced) outside private legal counsel to prosecute its cases. During a meeting with the Embassy's Resident Legal Advisor in late March, ACC officials defended hiring private lawyers as necessary in light of the high quality of the legal counsel working for their well-heeled suspects. The GOB has not given any hints about its plans to select a new ACC Chairman.

Comment

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¶6. (C) The conduct of the April 2 by-elections was a welcome reminder of the progress that had been made in strengthening electoral systems and processes during the Caretaker Government's tenure. The BNP's convincing victory in Bogra dissipates its threat to go to the streets if the elections were "stolen." At the same time, the Jatiya Party's defeat in Kurigram will be hard for former President Ershad to swallow and will likely worsen tensions between members of the "grand alliance." While the elections were a positive development, they took place in the context of growing concern that the political system was returning to the status quo that existed before the January 11, 2007 state of emergency. The leaders of the major parties will have to set the tone if there is to be any change in the "winner take all" political system. Unfortunately, the Prime Minister appears to have hardened her position since the BDR mutiny, making it less likely that the government will reach out to the opposition.

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